

# Feedback on the Welsh Government's draft Welsh National Marine Plan

April 2018

## Committee recommendations

**Recommendation 1.** The Welsh National Marine Plan (‘the Plan’) should explicitly state an ambition to ensure our natural environment is resilient, and the plan should give equal weight to achieving environmental resilience and promoting “blue growth”.....4

**Recommendation 2.** The Welsh Government should recognise the importance of the coastal and marine tourism and recreation sector, and do more to highlight its potential in supporting blue growth in the Plan.....5

**Recommendation 3.** The Welsh Government should set out the purpose of Strategic Resource Areas in the Plan, and set out a degree of consistency of approach towards them. The draft Plan should explicitly state that development will take place following an ecosystems approach and within environmental limits.....5

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## Approach

The Committee received a presentation on marine planning on 1 February 2018. Members had the chance to ask questions about the plan and how it compares to others around the world. We are grateful to the presenters who provided that overview.

On 14 March 2018 the Committee held a stakeholder workshop to discuss the Welsh Government's draft Welsh National Marine Plan. This included the content of the Plan and how it will be implemented. This short report considers the key issues raised by contributors to this process.

## Background

1. The Welsh Government first consulted on its approach to marine planning in 2010, and stated in 2011 that it hoped to adopt a Welsh National Marine Plan by the end of 2013. An initial draft was published in November 2015, accompanied by a number of **stakeholder drop-in sessions**. In January 2017, an updated **Statement of Public Participation** (SPP)<sup>1</sup> stated the Welsh Government's intention to have a draft plan ready for consultation within the year.

2. On 7 December 2017, the Welsh Government launched a 16 week **consultation** on the draft Welsh National Marine Plan ('the draft Plan'). The draft Plan sets out the Welsh Government's proposed policy for a 20-year period for the sustainable development of the Welsh marine planning area for the inshore and offshore regions. The overarching objective of the draft Plan is to:

“...support the sustainable development of the Welsh marine area by contributing across Wales' well-being goals, ensuring the sustainable management of natural resources by taking account of the cumulative effects of all uses of the marine environment.”

3. The draft Plan and consultation document are accompanied by several **supporting documents**, including:

- An overview of developing the Welsh National Marine Plan;
- Habitats Regulations Assessment;
- Sustainability Assessment; and
- Review of interim marine aggregate dredging policy.

## The content of the draft Plan

### 1.1. Sustainable development

4. Stakeholders were concerned that evidence from the **State of Natural Resources Report** (SoNaRR) shows that only “29% of our estuarine and coastal waters are in good or better ecological status”. They felt that the need to improve

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<sup>1</sup> The SPP is a legal requirement under the Marine Act, and is to be published prior to the start of the marine planning process. It sets out how stakeholders can be involved in the development of the plan and how representations can be made.

the status of the environment is not reflected in the draft Plan to a sufficient extent. It was suggested that the draft Plan did not fully incorporate the principles of Sustainable Management of Natural Resources as set out in the Environment (Wales) Act 2016.

**5.** Stakeholders felt the emphasis on growth within the draft Plan was at the expense of the need to safeguard the environment. They believed that under the Well-being of Future Generations (Wales) Act 2015 ('the Future Generations Act'), equal weighting should be given to social, economic, and environmental factors. It was felt that the references to the "precautionary principle" and the well-being goals in the "Introduction" to the draft Plan should be promoted throughout, with an emphasis that they would underpin all development decisions.

**6.** It was suggested that the draft Plan did not believe there was sufficient balance in the emphasis on ecosystem resilience and delivering "blue growth". Furthermore, stakeholders wanted to see a clearer definition of "blue growth". They also felt the draft Plan should explicitly state that there are limits to growth in each of the identified sectors.

**Recommendation 1.** The Welsh National Marine Plan ('the Plan) should explicitly state an ambition to ensure our natural environment is resilient, and the plan should give equal weight to achieving environmental resilience and promoting "blue growth".

## 1. 2. Strategic resource areas (SRAs)

**7.** The draft Plan sets out a new approach, using strategic resource areas, and which applies spatial mapping to marine planning. Stakeholders said that spatial mapping of resources was useful. However, they felt SRAs are too focused on future development. They called for greater clarity on the purpose of the SRAs and emphasised that each SRA should take environmental constraints, such as Marine Protected Areas, into consideration. Stakeholders suggested SRAs should be consistent with an ecosystem services approach.

**8.** There were concerns that SRAs could be taken as a presumption in favour of development activity in that area. It was recognised that they should serve to assist with horizon scanning.

**9.** Some stakeholders argued that the tourism sector needed to be set out as a strategic resource area. All SRAs are "afforded a degree of policy safeguarding to encourage strategic decisions on future use and prevent potential sterilisation of a resource". It was felt that this vital area of activity for the Welsh economy would

benefit from an assessment of its status and an analysis of current and potential interaction with other sectors and ecosystems.

**Recommendation 2.** The Welsh Government should recognise the importance of the coastal and marine tourism and recreation sector, and do more to highlight its potential in supporting blue growth in the Plan.

**Recommendation 3.** The Welsh Government should set out the purpose of Strategic Resource Areas in the Plan, and set out a degree of consistency of approach towards them. The draft Plan should explicitly state that development will take place following an ecosystems approach and within environmental limits.

### 1. 3. Cross-border issues

**10.** Stakeholders commented on the extent to which cross-border issues need to be delivered in partnership with the Marine Management Organisation (MMO). There needs to be greater clarity in the draft Plan about how this will happen. For instance, the review cycles of cross-border plans should be coordinated as far as reasonably practical, in particular the England South-West and North-East marine plans. It was suggested that a cross border advisory panel should be formed to oversee issues affecting common areas such as estuaries.

**11.** It was suggested that greater integration of the Welsh Government's Marine Planning Portal and the Marine Management Organisation's data portal would facilitate better consideration of cross-border issues.

**Recommendation 4.** The Welsh Government should seek to establish a cross-border advisory panel comprising the Marine Management Organisation and Natural Resources Wales to oversee cross border marine issues.

### 1. 4. Integration with terrestrial planning

**12.** At our workshop, there were calls for more detail on how Wales' marine and terrestrial planning processes will be expected to align. Stakeholders commented on the need to set out how the draft Plan interacts with the forthcoming seven area statements (six terrestrial and one marine) arising from the Environment (Wales) Act 2016. They also called for detail about who will be responsible for ensuring that these plans are joined up.

**13.** Participants said that the preparation of a National Development Framework by the Welsh Government, and the current Planning Policy Wales consultation is an ideal opportunity to ensure there is proper integration, at scale, of terrestrial

and marine planning, with potential for Wales to take the lead with this example of joined-up planning.

**Recommendation 5.** The Welsh Government should demonstrate how the Plan will interact with the area statements delivered under the Environment (Wales) Act 2016.

**Recommendation 6.** The Welsh Government should set out how the National Development Framework, Planning Policy Wales and the draft Plan will work together. This should include the decision-making process for agreeing developments on land which will have an impact on the marine environment and the consultation process between the relevant planning authorities and Natural Resources Wales.

## 1. 5. Use of evidence

**14.** Several stakeholders highlighted the fact that the evidence base for the draft Plan, the Wales Marine Evidence Report, is now out of date, having been published in 2015. Participants recognised that this report was valuable in drafting the plan and called for the Welsh Government to show how key considerations from it have influenced the draft Plan.

**15.** In terms of having a sufficient evidence base for the draft Plan, stakeholders recognised that there will never be a fully complete evidence base for decision-making, but suggested this should not prevent development as long as the precautionary principle is followed.

**16.** Participants also commented that the planning process should be used to help identify current gaps in the evidence base, which can improve the next cycle of planning. Although the environmental evidence base is crucial for planning purposes, it was noted that there is also a need to collect social and economic information to inform decisions.

**17.** Stakeholders told us the draft Plan should make clear who is responsible for collecting baseline data. We heard from developers that they feel they are being asked (as part of their planning and licensing applications) to collect data that Natural Resources Wales (NRW) is responsible for collecting.

**18.** It was acknowledged that data gathering is expensive; it was suggested that it is done in partnership with commercial and community groups. It was suggested that a “data strategy” would be beneficial to the draft Plan and its users by encouraging and coordinating data gathering and sharing. Some participants called for a dedicated budget for NRW to carry out data collection, analysis and

quality assurance. It was also suggested that the plan could be used to address relevant evidence gaps

**Recommendation 7.** The Welsh Government should establish a programme of evidence gathering, supported with a dedicated budget, for delivery by Natural Resources Wales.

## 1. 6. Alignment with domestic and international policy

**19.** Stakeholders asked for clearer evidence that the document had been assessed in light of the Future Generations Act and the principles of the sustainable management of natural resources. In particular, they queried the guidance on marine renewable energy, Policy ELC\_01, and how it aligns with the goals of the Act.

**20.** Stakeholders also stressed the need to make clear which of the “general and cross cutting policies” are recommendations and which are legal obligations, such as those relating to Marine Protected Areas.

**21.** The UK Government has committed to maintaining the aim of the Marine Strategy Framework Directive to achieve “Good Environmental Status” for marine waters by 2020. Stakeholders were pleased that this commitment remains in the draft Plan. However, when the UK leaves the EU there will be no recourse to the European Court if Wales does not meet its obligations under the Directive. There was concern that, in future, holding the Government to account on this would be costly and therefore out of reach of most stakeholders.

**22.** In relation to European policy, stakeholders commented that it was difficult to “future proof” the draft Plan in order to account for Brexit, since decisions about how we leave are made at a UK level. However, they suggested the draft Plan should be reviewed and consulted on after five years to take account of the legislative and policy changes that result from Brexit.

**Recommendation 8.** The Welsh Government should carry out a comprehensive review the draft Plan after five years to fully take account of the changes in policy and legislation that result from Brexit.

## 2. Monitoring and Implementation

**23.** There was a desire not only to raise the profile of the finalised Plan, but also to communicate to all stakeholders that it represents a shift in thinking from a regulatory approach to a plan-led approach.

**24.** Stakeholders commented that the draft Plan needs to show how planning and implementation processes will be measured and monitored. The draft Plan says that “Proposals should demonstrate how they contribute to the protection, restoration and/or enhancement of marine ecosystems” but does not indicate how this should be measured.

**25.** The draft Plan does not set out targets for increasing social value, economic development or environmental status. Stakeholders told us there should be an attempt to capture the “added value” of the plan, that is, the wider changes which have resulted from this new planning process.

**26.** There was a call for training on the use and implementation of the draft Plan. This training should be widely available, not just for marine specialists, but also terrestrial planners. This training should be made available and promoted to councillors as well as officers in local authorities. Providing this training will lead to a greater understanding of the impact of terrestrial planning decisions on the marine environment.

**27.** Stakeholders suggested an implementation programme should be drawn up with a dedicated budget for delivery. It was suggested that the Welsh Government follow the example in England of employing at least two full time implementation officers, with one based in North Wales and one in the South. It was recommended that they should be in post before the draft Plan is adopted, to raise awareness of marine planning and carry out training.

**Recommendation 9.** The Welsh Government should specify how the success of the plan will be measured and monitored.

**Recommendation 10.** The Welsh Government should ensure that guidance and training is available to all stakeholders to support the delivery of the plan.

**Recommendation 11.** The Welsh Government should explore the costs and benefits of appointing regional implementation officers to provide guidance and deliver an implementation programme.

## 2. 1. Scale and scope of the draft Plan

**28.** Stakeholders noted that the draft Plan is a long and complex document. They noted that more should be done to ensure the content of the plan is accessible to a wider audience. It was suggested that the draft Plan, or future iterations, is revised, into a policy document with the necessary technical guidance attached as annexes.



**29.** Participants discussed the merits of regional marine planning. The example of regional marine planning in Scotland was given, with a call for similar process in Wales. It was suggested that this would provide a way of identifying what is important to local areas and provide a way to engage with local authority decision-makers.

**30.** One suggestion was that more detailed plans for high use areas such as the Pembrokeshire Coast and estuaries are prepared.

**Recommendation 12.** The Welsh Government should seek to raise the profile of the plan with the wider public and explore what can be done to make the content of the plan accessible as possible.

**Recommendation 13.** The Welsh Government should pay particular regard to issues of national importance which will have a local impact. This exercise should consider whether a particular focus on high use areas such as the Pembrokeshire Coast and estuaries is useful.

## Next steps

**31.** The Welsh Government will respond to this short report six weeks after publication. Their response will be published on our website.

**32.** The Committee will return to this subject one year after the publication of this report to assess progress.

## Annexe: Stakeholder attendees

### Climate Change, Environment and Rural Affairs Committee Meeting: 1 February 2018

| Name           | Organisation             |
|----------------|--------------------------|
| Steve Fletcher | UN Marine Programme      |
| Sue Kidd       | Liverpool University     |
| Dickon Howell  | Howell Marine Consulting |

### Climate Change, Environment and Rural Affairs Stakeholder workshop: 14 March 2018

| Name            | Organisation  |
|-----------------|---|
| Gill Bell       | Marine Conservation Society   |
| Clare Reed      | Wales Environment Link  |
| Emily Williams  | RSPB  |
| Chris O'Brien   | RSPB  |
| Tony Thickett   | Planning Inspectorate   |
| Mick Green      | Whale and Dolphin Conservation  |
| Wendy Dodds     | Tidal Lagoon Power  |
| Mark Russell    | British Marine Aggregate Producers Association                                  |
| Kath Wellard    | Atkins  |
| Lucy Taylor     | Severn Estuary Partnership  |
| Mike Jones      | Environment Agency  |
| Sue Burton      | SAC Officer, Pembrokeshire Marine Special Area of Conservation                  |
| Roisin Willmott | Royal Town Planning Institute   |
| Ben Williams    | RWE Generation UK plc   |
| John O'Connor   | Welsh Federation of Sea Anglers   |
| Keith Davies    | Head of Planning, Landscape, Energy and Climate Change, Natural Resources Wales |
| Rhoda Ballinger | Cardiff University  |
| Alec Taylor     | WWF   |
| Becky Phillips  | Joint Nature Conservation Committee   |